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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/135,024	08/17/1998	MAKI KATO	05905.0056	8790
22852	7590	02/26/2004	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 1300 I STREET, NW WASHINGTON, DC 20005			GOOD JOHNSON, MOTILEWA	
			ART UNIT	PAPER NUMBER
			2672	37
DATE MAILED: 02/26/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/135,024	KATO ET AL.	
	Examiner	Art Unit	
	Motilewa A. Good-Johnson	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 December 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 17-21,24,25 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 17-21,24,25 and 28 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This action is responsive to communications: Amendment I, filed 12/10/2003.
This action is made final.
2. Claims 17-21, 24, 25 and 28 are pending in this application. Claims 17 and 19 are independent claims.
3. The present title of the application is "Data Processing Apparatus and Processing Method and Medium for Electronic Games" (as originally filed).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 17-21, 24, 25 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa et al., U.S. Patent Number 6,317,130 B1, "Apparatus and Method for Generating Skeleton-Based Dynamic Picture Images as well as Medium Storing therein Program for Generation of Such Picture Images", class 345/473, 11/13/2001, filed 10/29/1997, in view of Rayman, UBISOFT Corporation, release 1994.

As per independent claim 17, a data processing apparatus having a processor for positioning a game character on a display, said apparatus comprising: a motion data

table for pre-storing motion data for executing a movement of the game character model, wherein motion data includes distance data and angle data defining predetermined motions of the game character model; (Ishikawa discloses storing spatial data of skeletons as coupled together and calculating based on data a display position of the model associated with each skeleton, col. 2, lines 40-53) and a processor, wherein the processor computes the reference polygon at each of a plurality of trigger times corresponding to an occurrence of a predetermined scene based on position information of said reference polygon and motion data, places the reference polygon in a three-dimensional space, and directly places said component polygons for said reference polygon in the three-dimensional space based on the position information of said reference polygon without computing any other polygons. (Ishikawa discloses a CPU, which operates to supply graphics data generation process with coordinate data of each polygon and receive each polygons 3D coordinate data shift and rotation amount, col. 9, lines 57-66)

However, it is noted that Ishikawa fails to disclose a game character model, including a reference polygon and component polygons, that are separated from the reference polygon, wherein no other polygons are included between said reference polygons and said component polygons.

Ubisoft Corporation discloses an animation character named Rayman, who has a reference polygon and component polygons that are separate from the reference polygon.

It would have been obvious to one of ordinary skill in the art at the time of the invention of Ishikawa to include characters having component and polygons that are separate from the reference polygon, because Ishikawa discloses in abstract enabling an animation character represented by polygons having no joints and no bones to visually represent precise and natural motions.

With respect to dependent claim 18, . . . processor alienates said component polygons from said reference polygons. (Ishikawa discloses in figure 6, child, parent and root components of the skeleton and further discloses determine which polygons are related to or associated with which skeletons, col. 15, lines 1-67)

As per independent claim 19, it is rejected based upon similar rational as above independent claim 17.

With respect to dependent claim 20, a medium on which is stored a program for causing a computer to function as a processor and data system cited in any one of claims 17 through 19. (Ishikawa discloses a carrier medium to store and provide generation of skeletons to define relative positions of polygons of a character object, col. 6, lines 1-22)

With respect to dependent claim 21, wherein the motion data includes articulating components for the movement of the game character mode. (Ishikawa discloses skeleton data for the character to define position and movement, col. 4, lines 44-67)

With respect to dependent claim 24, said game character further comprises: a plurality of reference polygons. (Ishikawa discloses skeleton models made up of a predefined number of polygons, col. 2, lines 53-67)

With respect dependent claims 25 and 28, they are rejected based upon similar rational as above dependent claims 21 and 24 respectively.

Response to Amendment

6. Applicant's arguments with respect to claims 17-21, 24, 25 and 28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2672

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Motilewa A. Good-Johnson
Examiner
Art Unit 2672

mgj
February 17, 2004

Jeffery A. Brien
JEFFERY BRIEN
PRIMARY EXAMINER